

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SECOND AMENDMENT ARMS, et)
al,)
)
 Plaintiffs,)
) No. 10-cv-4257
 vs)
)
CITY OF CHICAGO,)
)
 Defendant.)

The discovery deposition of JOSEPH
LAJOY, taken in the above-entitled cause before
Steven J. Brickey, CSR, State of Illinois, at 30
North LaSalle Street, Chicago, Illinois, on the
23rd day of May, A.D., 2018, commencing at 1:01
o'clock p.m.

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1 A. Yes.

2 **Q. -- apart from the address mentioned**
3 **on the NSSF report?**

4 A. Yes, we've talked about three or
5 four different locations.

6 **Q. What were those?**

7 A. All I can tell you that I remember
8 from those locations are down on the southside,
9 down closer here to the lakefront and then on the
10 northside. As to actual addresses, I don't have
11 those.

12 **Q. Why did you think that those three**
13 **locations would be the best locations; the**
14 **southside, by the lakefront and the northside?**

15 A. The industry is a very unique
16 industry and the people involved in the industry
17 and the amount of people we have spread out
18 through the City of Chicago who are in the
19 firearms industry and as a sport we have high
20 concentrations in the city and so we wanted to
21 talk about putting places in locales where people
22 didn't have to travel an hour-and-a-half to get to
23 a store.

24 **Q. I'm going to show you another**

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1 **Franzese and planned involvement with SAA,**
2 **knowledge regarding laser sights," is that**
3 **correct?**

4 A. Correct.

5 Q. Have you seen this document before?

6 A. I don't recall if I have or not.

7 Q. And if you flip to the next page,
8 **number four says "Identify and describe all stores**
9 **selling or vending firearms or firearms**
10 **accessories operated in whole or in part by any**
11 **plaintiff, any entity in which any plaintiff has**
12 **or had an interest or any entity that is or was a**
13 **member of any plaintiff including the name of each**
14 **store, its location and the length of time in**
15 **operation."**

16 If you look at the third
17 **paragraph and the answer, it says that "Joe**
18 **Franzese is an independent contractor at LaJoy**
19 **Precision, Inc.," is that correct?**

20 A. That's correct.

21 Q. What is LaJoy Precision, Inc.?

22 A. LaJoy Precision, Inc. is an 07
23 federal firearms licensee. We are a gunsmithing,
24 custom gun builder, firearms training institute,

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1 firearm sales, archery training outdoor store.

2 Q. It sounds like you have a lot going
3 on there.

4 Are you the owner of LaJoy
5 Precision, Inc.?

6 A. I own 49 percent of the business.

7 Q. Are you the manager of the business?

8 A. Yes.

9 Q. How many employees do you have?

10 A. Zero.

11 Q. What does Joe Franzese do for LaJoy
12 in his role as independent contractor?

13 A. He brings customers to me.

14 Q. Where does he find customers to
15 bring to you?

16 MR. SIGALE: Objection as to
17 foundation, speculation, but if you know the
18 answer to that.

19 BY THE WITNESS:

20 A. I can tell you I know some of the
21 answer to it, not the whole thing, but he -- I
22 give him my business cards all the time and he has
23 them at his barbershop and when he has customers
24 that are talking about the firearms industry, he

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1 cutting tools.

2 Q. I'm not very familiar with the
3 practice of gunsmithing. Gunsmithing refers to
4 repair of firearms, modifications of firearms,
5 correct?

6 A. So a gunsmith is a trained
7 professional who can do all aspects of firearms
8 repair, maintenance and building.

9 Q. How much space is required just to
10 hold the equipment needed to operate a gunsmithing
11 shop?

12 A. That's a loaded question because you
13 can do it in as much as a six-by-eight -- six-foot
14 by eight-foot area or as big as 4,000 square feet.
15 It depends on what work is being done and how much
16 of that work is being done.

17 Q. But to have a high quality,
18 profitable --

19 A. It can be done -- it can be done in
20 a six-foot by eight-foot area.

21 Q. Is that equipment expensive?

22 MR. SIGALE: Object as to form, but
23 to the extent you can answer it.

24

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1 BY THE WITNESS:

2 A. The milling machines and lathes,
3 yes, that's expensive stuff. Is that needed to be
4 a gunsmith? No, it's not. It just makes it
5 easier.

6 BY MR. TRESNOWSKI:

7 Q. You mentioned that your company also
8 provides training and classes?

9 A. Yes, sir.

10 Q. Do you also sell products?

11 A. Yes, sir.

12 Q. What kinds of products?

13 A. Firearms, ammunition, holsters, gun
14 cleaning equipment, targets, gun cases, parts,
15 accessories, optics, optic accessories, pretty
16 much I can -- I can sell anything in the sporting
17 goods industry and most of that I do on special
18 order.

19 Q. What percentage of your company's
20 revenue comes from the sale of firearms?

21 A. LaJoy Precision --

22 Q. LaJoy Precision.

23 A. -- to date right now around 20
24 percent of my business is done with firearm sales

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1 and accessory sales.

2 **Q. You mentioned you have a federal**
3 **firearms license?**

4 A. Yes, sir.

5 **Q. How long have you had one?**

6 A. Five years. I'm sorry. December
7 will be the end of my sixth year.

8 **Q. I thought you mentioned that LaJoy**
9 **Precision began in 2007, is that correct?**

10 A. I never stated that LaJoy Precision
11 started in 2007.

12 **Q. I must have misheard. So how long**
13 **has LaJoy had a federal firearms license?**

14 A. LaJoy Precision has had a federal
15 firearms licensing -- license December will be --
16 December 2018 will be the end of our sixth year.

17 **Q. Do you have any other employment**
18 **currently besides your work at LaJoy Precision?**

19 A. No.

20 **Q. And what did you do prior to working**
21 **at LaJoy Precision? What was your employment**
22 **immediately prior to LaJoy Precision?**

23 A. I have -- I was the head gunsmith
24 for Krebs Custom Guns in Wauconda.

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1 **Q. And how long did you have that job?**

2 A. I was there for about a year.

3 **Q. What were you doing before that?**

4 A. Are you asking the question how
5 long -- how much experience do I have in the
6 firearms industry, is that what you are trying to
7 ask?

8 MR. SIGALE: No, he's asking what
9 your employment immediately prior to Krebs.
10 Right?

11 MR. TRESNOWSKI: Correct.

12 BY THE WITNESS:

13 A. I can't remember. I was doing -- I
14 was doing gunsmithing work and additional class
15 training during that time. Who was I working for?
16 I can't remember.

17 BY MR. TRESNOWSKI:

18 **Q. Okay. So let's get to the question**
19 **you thought I was going to ask.**

20 **How -- how many years of**
21 **experience working as a gunsmith do you have?**

22 A. I started my training when I was 20
23 years old. So we're talking 29 years.

24 **Q. You've only had a federal firearms**

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1 Q. If you flip past the first page,
2 which is really an addendum to the rest of the
3 document, I believe, and if you turn in that
4 document to page three, you're listed on that page
5 as the chief operations officer for Second
6 Amendment Arms, is that correct?

7 A. Correct.

8 Q. If you turn to page four under the
9 heading service, it says "A full gunsmith services
10 will be run and serviced by Joseph LaJoy of LaJoy
11 Precision, a FFL Class 3 manufacturer on and
12 offsite," is that correct?

13 A. Correct. The Class 3 manufacturer
14 is incorrect.

15 Q. What -- what should it say?

16 A. It should say 07 manufacturer.

17 Q. So you have a Class 07 FFL?

18 A. Correct.

19 Q. Which allows you to manufacture
20 firearms, correct?

21 A. An 07 FFL allows me to manufacture
22 and sell firearms and destructive devices other
23 than explosive devices.

24 Q. How much do you expect to be paid as

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1 BY MR. TRESNOWSKI:

2 Q. You have never examined the property
3 located at 415 West Armitage, correct?

4 A. Correct.

5 Q. So you don't know, for example,
6 whether the gunsmithing equipment that you would
7 want to have for Second Amendment Arms could fit
8 in that property, correct?

9 A. So going back to a previous answer
10 about gunsmithing equipment. You can do
11 gunsmithing with a six-foot by eight-foot table.
12 So could I open up a gunsmithing operation at this
13 location without seeing the inside of it? I
14 guarantee you I could. Does it mean that I will
15 have -- may be able to put in my big mill and by
16 lathe in there? I don't know. Do I need my lathe
17 and mill in that building to do my work? No, I
18 don't.

19 Q. Why do you have the mill and the
20 lathe at your LaJoy Precision location?

21 A. It helps me to do my job better,
22 easier.

23 Q. So if that equipment couldn't fit in
24 this property, you wouldn't be able to do your job

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1 A. Correct.

2 Q. And you said that you've seen this
3 report before, correct?

4 A. Correct.

5 Q. It says on the cover that it was
6 prepared for LaJoy Precision, Inc., correct?

7 A. Correct.

8 Q. So you requested this report?

9 A. Correct.

10 Q. How did you request it?

11 A. I'm a member of the NSSF. I called
12 them up and I ordered it.

13 Q. What information did you provide
14 them?

15 A. I gave them the address and told
16 them how much of a mile radius around it.

17 Q. Did Joe Franzese ask you to request
18 this report?

19 A. Yes, he did.

20 Q. What was the purpose of the report?

21 A. What is the purpose of this report?

22 Q. Why did he ask you to request it?

23 A. Because this report tells us --
24 gives us a market analysis of a 15 to 35-mile

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1 radius of the address 6714 North Northwest
2 Highway, Chicago, Illinois 60631 and gives us all
3 demographics; male, female, age, income levels,
4 how many people are participating in any outdoor
5 activity including firearms and archery.

6 **Q. How did you plan on using this**
7 **report?**

8 A. This report gives me -- tells me
9 what my concentration of people that we would be
10 able to market to are in the area and if it's a
11 good location or not.

12 **Q. So what did you do with the report**
13 **once you received it?**

14 A. I received it, I looked at it and I
15 gave a copy to Joe.

16 **Q. How many times did you read it?**

17 A. Once.

18 **Q. Did you take any other actions based**
19 **on this report besides sending it to Joe?**

20 A. No.

21 **Q. You never sent this report to a**
22 **bank?**

23 A. No.

24 **Q. The cover of the report says it was**

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1 disclose him as a Rule 26 expert?

2 MR. SIGALE: No, I'm going to
3 disclose him as a regular, ole' fact witness who
4 knows everything about all this.

5 As I mentioned, there will be a
6 retained expert disclosure coming.

7 BY MR. TRESNOWSKI:

8 Q. This response also says you have
9 experience in the gun sales and smithing business,
10 do you consider yourself an expert on the sale of
11 guns?

12 A. I wouldn't consider myself an expert
13 as on the sales of guns.

14 Q. You don't have expert knowledge
15 about what makes gun stores profitable or
16 unprofitable, correct?

17 A. Could you restate that question?

18 Q. Do you have any special training or
19 experience that would allow you to offer an expert
20 opinion about whether a particular gun store will
21 be profitable?

22 A. You've used the word expert more
23 than once. Do I have experience running a gun
24 store? Do I have experience of knowing what will

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1 make a gun store profitable or not profitable?
2 Yes, I do. Do I consider myself an expert in
3 those areas? No, I do not. Do I know where to
4 get those experts? Yes, I do.

5 **Q. This response also says you have**
6 **knowledge regarding laser sights, correct?**

7 A. I have knowledge of laser sights,
8 yes.

9 **Q. How does a laser sight accessory**
10 **work on a firearm?**

11 A. When it's attached to the firearm,
12 you press a button to turn it on to have it
13 activated. Some are activated when you remove the
14 firearm, a handgun, from its holster. Lasers on
15 rifles you have to press a button to turn it on
16 and they are sighted in for a certain distance
17 just like you would sight in an optical sight or
18 an open sight and it projects either a red or
19 green visible laser from the firearm to the
20 target.

21 **Q. As part of your gunsmithing work, do**
22 **you install laser sights on firearms?**

23 A. Yes.

24 **Q. How -- how does the laser sight**

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1 **attach to the firearm?**

2 A. It depends on the firearm. It
3 either attaches -- it's either grips -- so the
4 laser is built into the grips and you unscrew the
5 grips and put the new grips on there or it
6 attaches via what is called a Picatinny rail under
7 the hand guard. I'm sorry. Not under the hand
8 guard. Under the barrel of a handgun or under the
9 barrel of a rifle and it attaches by clamping
10 method to that.

11 **Q. So when a customer comes to you to**
12 **have a laser sight installed on his or her**
13 **firearm, that customer would bring you the firearm**
14 **and the laser sight separately, correct?**

15 A. In some instances.

16 **Q. The laser sight is an -- is an**
17 **aftermarket product that is bought separately from**
18 **the firearm?**

19 A. In some instances, it is.

20 **Q. And in those instances where they're**
21 **separate, the firearm would function in the same**
22 **way, whether it had a laser sight or not, correct?**

23 A. Correct.

24 **Q. After you installed a laser sight on**

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1 **a firearm and the laser sight broke, the firearm**
2 **would still function, correct?**

3 A. Correct.

4 **Q. When customers come to you asking to**
5 **install a laser sight, why do they do that? That**
6 **is -- let me rephrase the question.**

7 **Why do customers want laser**
8 **sights on their firearms?**

9 MR. SIGALE: Again, I'll object as
10 to foundation and speculation, but to the extent
11 you know, go ahead and answer the question.

12 BY THE WITNESS:

13 A. Some reasons why people will have a
14 laser sight on a firearm is what we call target
15 acquisition. It helps the person to be able to
16 make sure that the gun is sighted and on target,
17 it is pointed at the right target be it for target
18 shooting, sporting purposes or self-defense.

19 BY MR. TRESNOWSKI:

20 **Q. Is it easier to shoot a firearm when**
21 **a laser sight is attached?**

22 MR. SIGALE: Object to the form of
23 the question. Go ahead and answer if you
24 understand the question.

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1 BY THE WITNESS:

2 A. You have to clarify what you mean
3 exactly by that.

4 BY MR. TRESNOWSKI:

5 Q. Is it easier to hit a target when
6 there is a laser sight attached to the firearm?

7 A. At a known distance, yes, it is.

8 Q. Do you think having a laser sight on
9 a firearm would give a user more confidence in
10 shooting the firearm?

11 A. That's hard to say because you're
12 asking me to give an answer of what an individual
13 would think.

14 Q. That's a fair response.

15 MR. TRESNOWSKI: It's been an hour.
16 Let's just take a break now and go off the record.

17 (Whereupon, a break was taken
18 after which the following
19 proceedings were had.)

20 MR. TRESNOWSKI: Let's go back on
21 the record.

22 BY MR. TRESNOWSKI:

23 Q. I just want to go back over a few of
24 the things we talked about.

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1 MR. TRESNOWSKI: Can we go off the
2 record for a minute?

3 (Whereupon, a break was taken
4 after which the following
5 proceedings were had.)

6 MR. TRESNOWSKI: Go back on the
7 record. I don't have anything else right now.

8 MR. SIGALE: Okay. I want to touch
9 on some things.

10 C R O S S E X A M I N A T I O N

11 BY MR. SIGALE

12 Q. Mr. LaJoy, let me start with this.
13 You got asked a question regarding the Exhibit 5,
14 the NSSF report, and the date of the report which
15 is, I'm sorry, what is it?

16 A. August 29th, 2014.

17 Q. And you got asked why that date, why
18 not sooner. Would it refresh your memory at all
19 as to the answer to that question if I told you
20 that the court opinion that overturned Chicago's
21 gun store ban was issued on January 6th of 2014
22 and the gun store ordinance that Chicago passed as
23 a result of that came out on May 28th of 2014?

24 Does that refresh your

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1 **recollection at all as to why the NSSF report**
2 **might have been requested around August of 2014?**

3 A. That would probably -- that -- I
4 would lean to say, yes, most likely.

5 **Q. And why, why then and why not**
6 **before?**

7 A. Well, the ruling was overturned that
8 they were allowing it?

9 **Q. Yes.**

10 A. So we would -- we would look at it
11 more seriously, start to build and get more of the
12 record. Seriously -- what I mean -- more
13 seriously. You can open up a store. Let's start
14 to put the work together.

15 **Q. In other words, in your opinion,**
16 **based on, you know -- you know, based upon your**
17 **conversations and whatnot, did you from your**
18 **perspective see a point to ordering a market**
19 **report before gun stores technically would have**
20 **even been allowed?**

21 A. No, it's a waste of money.

22 **Q. So I want to take your attention**
23 **to -- this is Exhibit 3. If I understand this**
24 **correctly, Joe Franzese was the spearhead of this**

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1 A. I would -- yes, I would say, yes, he
2 does.

3 Q. There is a couple broader issues
4 that I don't feel like got discussed very much. I
5 want to make sure we've talked about them.

6 The first regards laser sights.
7 You were talking about target acquisition I think
8 was the phrase you were using?

9 A. Yes, sir.

10 Q. Are there other benefits to laser
11 sights or is that the primary -- is that really
12 it, that's what they're used for?

13 A. Laser sights are used to make sure
14 that the target that you are looking at is the
15 target that you want to shoot.

16 Q. So it's not just target acquisition,
17 it would also improve shooting accuracy?

18 A. Yes, to -- to an extent.

19 Q. Well, sure. I mean, if you're
20 someone -- go ahead.

21 A. It would improve the accuracy of
22 aging shooters.

23 Q. Okay. How so?

24 A. The older we get our eyes -- our

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1 eyesight starts to diminish and when we have
2 diminished eyesights -- so I wear glasses. If I
3 were to shoot a firearm without glasses on, my
4 sights would be blurry, but that laser would not
5 be blurry because the laser is a dot. It's going
6 to be the target that I want to hit. So it helps
7 me to make sure that what I am aiming at is what I
8 want to shoot.

9 **Q. Okay. Any other benefits?**

10 A. We use lasers -- I use lasers as an
11 instructor and I have other instructors who use
12 lasers and we use it as a diagnostic tool. It
13 tells us what a person is doing correctly or
14 incorrectly in the process of learning how to
15 shoot a firearm.

16 **Q. What about the possible deterrent**
17 **effect, if any, on a would-be attacker if someone**
18 **were to drawdown on that attacker with a firearm**
19 **with a laser sight, do you -- in your experience,**
20 **would that have any -- any use for the shooter?**

21 A. A lot.

22 **Q. Can you explain?**

23 A. Currently, we have -- throughout the
24 United States we have civilians, we have police

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1 officers, we have military personnel, we have --
2 using lasers to get their point across. So when a
3 civilian has -- is involved with a bad person and
4 they have a firearm with a laser on it and they
5 point that laser at that individual and that
6 individual sees the laser on their chest, the
7 general outcome is that person gives up. It's why
8 the police like it so much, it's why the military
9 likes it so much because it is a very big
10 deterrent against bad people doing bad things
11 without having to pull the trigger and discharge a
12 round and take another person's life.

13 **Q. For the law-abiding firearm user, is**
14 **there a negative to using laser sights?**

15 A. Yes.

16 **Q. What?**

17 A. It has a red or green line going
18 from the sight directly back to that individual.
19 So let me explain. If I pull a firearm out and I
20 have a laser on that firearm and I put it on a
21 target and there is another person that is there
22 or that individual decides to say "Okay. You're
23 not going to do it," they have an exact location
24 of exactly where I'm standing.

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1 Q. Okay. Is that a reason to ban them?

2 A. No.

3 Q. Is there a reason that your -- first
4 of all, are you aware of anywhere other than the
5 City of Chicago where they're banned all together?

6 A. Firearm lasers?

7 Q. Yes.

8 A. No. I only know of the City of
9 Chicago that has a firearm ban on lasers.

10 Q. Is there a -- other than -- other
11 than what you've described using a laser might
12 help target -- helps improve target acquisition,
13 but also might make the shooter more visible,
14 is -- is there any -- is there any reason in your
15 mind, your experience, to ban laser sights all
16 together?

17 A. There is no reason in my mind why
18 laser sights should be banned.

19 Q. Are you aware of any statistics or
20 any data from anywhere around in -- anywhere in
21 the United States, of course except for Chicago
22 because they're banned here, where a law-abiding
23 person using a laser sight is a danger, is a harm
24 to public safety?

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1 A. I'm sorry. Would you clarify that?
2 I think I heard you say one thing and I want to
3 make sure what I heard you say.

4 **Q. Are you aware of any data,**
5 **statistics from anywhere in the United States, of**
6 **course except for Chicago, where using -- where**
7 **the use of a laser sight by a law-abiding person**
8 **causes a danger or a harm to public safety?**

9 A. I am not aware of that at all.

10 **Q. Now, you are aware, Mr. LaJoy, that,**
11 **technically-speaking, gun stores are allowed in**
12 **the City of Chicago if you look at the bare text**
13 **of the ordinance?**

14 A. From 2014 where they passed it?

15 **Q. Yes.**

16 A. I'm aware of that.

17 **Q. Is it still -- is it nonetheless**
18 **your belief that someone trying to open a gun**
19 **store would not be successful?**

20 A. It is my belief that the City of
21 Chicago will not allow it.

22 **Q. What's the basis for that belief?**

23 A. I believe within the last two, two
24 to three years, there was a gentleman from Indiana

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1 **then we kind of switched topics, but I want to try**
2 **and expand on this a little bit more, Mr. LaJoy.**

3 **Okay. What -- do you have --**
4 **Strike that part. Are you okay?**

5 A. Yup. Go ahead.

6 **Q. Do you have experience in the retail**
7 **sale of firearms?**

8 A. Yes, I do.

9 **Q. Okay. Can you explain what that**
10 **experience is?**

11 A. Sixteen years old I started working
12 on the range at Gun World in Bensenville, which
13 was a gun store. I worked for them for about four
14 months at 16 cleaning the range and signing people
15 in and out of the range. I left, wound up going
16 back to other odd jobs and stuff. When I turned
17 21, I went back to Gun World. I wound up being
18 the firearms instructor and the sales manager for
19 Gun World in Bensenville. I was also learning the
20 gunsmithing trade on top of it at that point. I
21 worked for Gun World for a few years.

22 I have been in the archery
23 industry, owned my own archery shop out of my home
24 selling archery product, training people in

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1 archery, buying bows. I shot archery as a
2 semiprofessional. I was hired by Bass Pro Shops
3 in Gurnee when they were building that. I was the
4 15th employee hired there. I was hired as the
5 assistant manager for the hunting department. I
6 oversaw the gun department and the knife
7 department and the general floor and the range.

8 On top of all of that, where
9 else do you want me to go? I have been in the
10 industry in one form or another since I was
11 technically 20 years old. I spend the majority of
12 my time educating myself, doing continuing
13 education every year on the firearms industry. I
14 currently have an FFL for myself which is under
15 LaJoy Precision. I have worked for other FFL's.

16 I worked at Maxon's Shooting
17 Supply in Des Plaines. I was their gunsmith for
18 them for a time period. I left with them. I went
19 to Krebs Custom. I worked for them. I went to --
20 I'm a graduate of the American -- American
21 Gunsmithing Institute of their master gunsmith
22 program. I am a pistolsmith, a riflesmith, a
23 shotgunsmith. I am an associate member of the
24 American Custom Gunmakers Guild.

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1 I am in the process of trying to
2 finish the projects to submit to become a
3 full-fledged member of the American Custom Gun
4 Makers Guild and I am in the process of putting
5 the projects together to become a full-fledged
6 member of the American Pistolsmith Guild. On top
7 of that, I am a firearms instructor. I have been
8 an NRA certified firearms instructor for basic
9 pistol, basic rifle, basic shotgun, personal
10 protection, home firearms safety, firearms safety
11 outside of the house. I am a certified range --
12 firearms range safety officer and have been since
13 I was 20.

14 I was part of the first group of
15 individuals that the State of Illinois licensed to
16 be an Illinois conceal carry firearms instructor.
17 I am also a firearms instructor for the State of
18 Utah. My licenses allow me to teach not only
19 Illinois conceal carry law, Utah conceal carry
20 law, but it also allows me to teach Wisconsin
21 conceal carry law and Florida conceal carry law.

22 Every year, the ATF, which is
23 the Bureau of Alcohol, Tobacco and Firearms and
24 Explosives, ATFE, they put on a continuing -- what

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1 no longer around, Bass Pro Shops in Gurnee,
2 Illinois.

3 **Q. At Krebs, did you just do**
4 **gunsmithing?**

5 A. Krebs -- Krebs is a firearms
6 manufacturer. So I ran -- I was the -- I was
7 hired as his production manager and we built
8 custom, high-end rifles.

9 **Q. So it sounds like you have worked in**
10 **basically every aspect of the firearm industry?**
11 **Am I missing -- are there any that you don't?**
12 **You've sold them, you've manufactured them, you've**
13 **custom repaired and made them, you train, is there**
14 **any part of the firearm industry that you don't --**

15 A. That I have no experience in? There
16 is no part of the firearms industry that I do not
17 have experience in. Now, I have also worked in
18 other areas outside of the industry. I haven't
19 just spent the last 29 years in the industry. I
20 have spent 29 years in the industry and outside of
21 the industry.

22 **Q. What else -- what kind of things**
23 **have you done outside of the industry?**

24 A. I was the national sales manager for

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1 that was about 2001/2002 timeframe where I was a
2 recruiter for Manpower in Waukegan. Before then,
3 I worked for a company called Digital Java and Red
4 Cup Coffee. I was their national service manager
5 for superautomatic espresso equipment that we
6 brought in exclusively from Italy and I would
7 train technicians throughout the country on how to
8 work the equipment and how to get the equipment
9 installed.

10 **Q. All right. So focusing for a second**
11 **here on the firearms retail work that you did, you**
12 **said at Bass and at Gun World, so how does that**
13 **experience help you to -- Strike that.**

14 **How would you feel that those**
15 **experiences at Gun World and Bass Pro Shop would**
16 **aid you in being a COO of Second Amendment Arms?**

17 **A.** Logistics, planning, training,
18 understanding customer service, picking the
19 right -- the right individuals for specific areas,
20 right -- when I say the right individual, the
21 right mentality of that person, their character,
22 their demeanor. You don't want to walk into any
23 business and have some crotchety person behind
24 that counter spitting all over you and treating

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1 you rudely.

2 **Q. Sure.**

3 A. You want to walk in the door like
4 you just met and been working with your best
5 friend in the whole world. Customer service is
6 everything. On top of that, learning -- learning
7 what I learned from Bass Pro Shops on how to
8 market product, how to present product, product --
9 product display, what products to bring in, what
10 products not to bring in, how to -- how to analyze
11 the product of what is selling, what is not
12 selling, how to move that product, how not to move
13 the practice. You know, you have to -- you don't
14 want product X sitting on that shelf for, you
15 know, a year and not moving. That's wasted money,
16 right. If that product doesn't sell within 90
17 days, get rid of it. Mark it down, get rid of it
18 and bring in something that is going to be
19 profitable.

20 **Q. So is it fair -- Strike that.**

21 A. I have to stand up if that's okay?

22 **Q. Yeah, that's okay. You told me**
23 **beforehand you've got a couple of back issues. Do**
24 **you need to take a break?**

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1 A. No, let's keep going. I'd just like
2 to finish. So, please, let's keep going.

3 **Q. Okay. So, Mr. LaJoy, is it fair to**
4 **say you were not brought into this discussion with**
5 **Mr. Franzese on a whim?**

6 A. It's very fair to say that, yes,
7 sir.

8 **Q. You're just not some buddy of his**
9 **that likes to shoot and was getting your haircut**
10 **one day and said "Oh, yeah. You'd be good.**
11 **Let's -- we can be zillionaires doing this."**
12 **You -- you've been in this industry for a very**
13 **long time?**

14 A. I've been in the industry long
15 enough to know when I'm talking to somebody if
16 they're blowing smoke up my tail or not and so
17 what do I mean by that? Joe -- Joe knows how to
18 bring people together. He knows how to build --
19 how to build stuff. He might not know every
20 aspect of the firearms industry. He doesn't need
21 to. He needs to find people like me who do and
22 Joe has done a great job of bringing people
23 together.

24 **Q. You mentioned -- and this will**

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1 I would leave that all together.

2 BY MR. SIGALE:

3 Q. Yeah.

4 A. And -- and right now I would say,
5 no, I wouldn't. I would run both. I would hire
6 people to run the business end of LaJoy Precision
7 and I would still do that and I would oversee what
8 is going on over there. However, if we had the
9 property to put that range system in in the
10 northwest side of Chicago, LaJoy Precision would
11 get shuttered and I would open up there.

12 Q. Do you believe that a gun store in
13 Chicago would be profitable?

14 A. Very much so.

15 Q. What do you base that on?

16 A. I base that on -- on the potential
17 of firearms enthusiasts that are there. I base it
18 on the educational ramifications of educating the
19 public on good firearm safety. People are afraid
20 of what they don't know. Okay. Educate people.
21 We don't need to argue. We don't need to yell and
22 fight and scream at people like they do on TV.
23 Educate people. Answer questions. Be polite.
24 Answer their questions. Educate them. Then let

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1 **Q. But great customer service and**
2 **experience in the firearm industry does not**
3 **guarantee profits, correct?**

4 A. Correct.

5 **Q. You mentioned that you think a gun**
6 **store would be profitable in Chicago because of**
7 **the number of gun store enthusiasts in the city,**
8 **correct?**

9 A. Number of people that are
10 enthusiasts about shooting sports, yes.

11 **Q. What is your basis for estimating**
12 **how many of those individuals there are within the**
13 **city?**

14 A. The NSSF report that you handed to
15 me as Exhibit 3 I believe it is.

16 MR. SIGALE: Exhibit 5.

17 BY THE WITNESS:

18 A. Exhibit 5. If I wanted to get even
19 more laser beam focus, I would call the NSSF and
20 order more reports.

21 BY MR. TRESNOWSKI:

22 **Q. Let's go back to the first question**
23 **Mr. Sigale asked you regarding the date on which**
24 **you requested the NSSF report.**

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1 open.

2 Q. And so you said "Let's open. So
3 let's get the market report for our fifth store,"
4 correct?

5 A. I said "Let's get a market report
6 for this location here." I was the one who picked
7 that address solely on the purpose of the fact of
8 it being on the northwest side of Chicago and that
9 there is nothing in that area. I wasn't looking
10 at all the other locations.

11 Q. But the first step of business after
12 the 2014 court opinion came out with regards to
13 Second Amendment Arms was getting a market report
14 for the fifth store to be opened, correct?

15 A. It was getting a market report for
16 opening a store. What number that store would be
17 we were looking at this as being the fifth store,
18 but it could also have been -- in 2014, it would
19 have been the first store. The original plan was
20 to open up three stores first and then move into
21 two more within the next year or two years.

22 Q. Counsel also walked you through the
23 business report and the references in that report
24 to certain inventory that Second Amendment Arms

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1 might be carrying, do you recall that?

2 A. Yes, sir.

3 Q. And you believe that even though you
4 don't have specific knowledge of specific
5 locations where Second Amendment Arms stores would
6 open up within the city or of specific inventory,
7 that Joe Franzese does have a more specific idea
8 with respect to those matters?

9 A. I believe Joe Franzese has more
10 specifics on that. That's his area.

11 Q. Yet despite all of your experience
12 in the firearms industry and your role as chief
13 operations officer, he didn't consult with you
14 about those things, correct?

15 A. If you mean by consulting with me on
16 getting specifics, no, because I told him I didn't
17 want to deal with specifics until we're moving
18 forward. Let's move forward. We'll get into more
19 specifics when we move forward.

20 Q. On the topic of laser sights, you
21 mentioned that improved shooting accuracy that
22 comes from a laser sight might be beneficial for
23 aging shooters or shooters whose -- whose eyesight
24 is not perfect, correct?